

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Robert Barbera,

Plaintiff,

v.

Hesperios Inc.,

Defendant.

Case No. 1:22-cv-03072-ALC

**DEFAULT JUDGMENT**

**WHEREAS**, this matter came before the Court on plaintiff Robert Barbera (“*Plaintiff*”)’s application for entry of default judgment against defendant Hesperios Inc. (“*Defendant*”) under Rule 55(b) of the Federal Rules of Civil Procedure and Local Rule 55.2.

**WHEREAS**, Plaintiff filed his application for entry of default judgment seeking \$23,150.00 in statutory damages for copyright infringement, \$3,237.50 in attorneys’ fees, and \$442.00 in costs plus interest.

**WHEREAS**, Defendant has not filed any opposition to Plaintiff’s application for default judgment. By Order to Show Cause, the Court scheduled a deadline for Defendant to oppose the motion and Defendant failed to appear or otherwise oppose the motion.

**THEREFORE, IT IS ADJUDGED AND ORDERED** that Plaintiff’s application for entry of default judgment is GRANTED pursuant to Fed.R.Civ.P. 55(b)(2); it is

**FURTHER ORDERED** that the Court declares that Defendant violated Plaintiff’s exclusive rights under 17 U.S.C. § 106 of the Copyright Act by engaging in unauthorized copying of Plaintiff’s registered work; it is

**FURTHER ORDERED** that Defendant shall pay \$23,150.00 in statutory damages under 17 U.S.C. § 504(c); it is

**FURTHER ORDERED** that Defendant shall pay \$3,237.50 in attorneys' fees and \$442.00 in costs pursuant to 17 U.S.C. § 505; it is

**FURTHER ORDERED** that pursuant to 17 U.S.C. § 502(a) Defendant is hereby enjoined from continuing to store and/or display Plaintiff's Photograph

**FURTHER ORDERED**, that Defendant shall post-judgment interest under 28 U.S.C.A. § 1961; it is

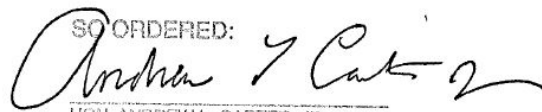
**FURTHER ORDERED** that this Court retains jurisdiction over any matter pertaining to this judgment; and it is

**FURTHER ORDERED** that this case is dismissed and the Clerk of the Court shall remove it from the docket of the Court.

This is a final appealable order. See FED. R. APP. P. 4(a).

Dated: 8/25/2023

**SO ORDERED.**

SO ORDERED:  
  
HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE